

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/666,910	ZARA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Igor Borissov	3639	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Amendment - After Non-Final Rejection - of 6/12/2006.
2.  The allowed claim(s) is/are 1-19.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All b)  Some\* c)  None of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

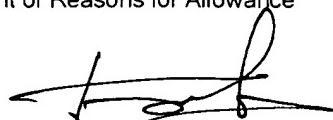
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.



**IGOR N. BORISOV**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/12/2006 has been entered.

### ***Response to Amendment***

Amendment received on 6/12/2006 is acknowledged and entered. Claims 1, 9 and 14 have been amended. Claims 1-19 are currently pending in the application.

### ***Claim Rejections - 35 USC § 103***

Claim Rejections under 35 USC § 103 have been withdrawn due to the applicant's amendment.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with an applicant's representative Patrick C. Keane (Reg. No.: 32,858) on Thursday, August 17, 10, 2006.

The application has been amended as follows:

IN THE CLAIMS

1. (Currently Amended) A data service system, comprising:
  - a server system that includes a request processor that configured to schedule[[s]] requests from external clients for transactions to be serviced by the server system based on:
    - (1) classification contained in a classification tag of those requests having such a tag, and
    - (2) a default classification mechanism for those requests not having an associated classification tag; and

an application system coupled to the server system, further including

    - an application engine that configured to perform[[s]] a requested transaction scheduled by the server system and provide[[s]] an associated transaction response to the server system for return to the requesting external client,
    - a business rule engine that configured to store[[s]] business rules regarding classification of various transactions, and use[[s]] the business rules to analyze at least some of the transaction responses; and
    - a tag generator that configured to generate[[s]] a classification tag for a particular transaction in a session based on the analysis of its associated transaction response by the business rule engine,

said system being configured to generate wherein the classification tag generated by the tag generator is attached to attach to its respective transaction response before it is returned to the requesting external client to be subsequently attached by that client to any succeeding requests in that session, and wherein the classification tag is either being newly generated in the application system to assign a classification per transaction for a new session first request, or and the classification tag being updated to re-categorize the transaction during an existing session based on a priority-based back-end classification if the classification of a succeeding request is different than the classification of the first request.

9. (Currently Amended) In a data service system having an application system coupled to a server system, a method of classifying access requests, comprising:

storing business rules regarding classification of responses to various externally requested transactions in a business rule engine;

receiving an access request in the application system from the server system, wherein the access request is requesting the application system to perform an externally requested transaction and to generate a response for the request;

using the business rules to analyze the response to obtain the classification information of the transaction response;

generating a tag containing the classification information;

sending the tag to a requesting client that issued the request such that the tag is attached to subsequent external requests to the data service system for the same transaction; and

scheduling requests to be serviced by the server system based at least in part on the classification information contained in the tag of each of the subsequent external requests, said system being configured to newly generate wherein the classification information is either newly generated in the application system to assign a classification per transaction for a new session a first request, or and updated to re-categorize the transaction during an existing session based on a priority-based back-end classification if the classification of a subsequent request is different than the classification of the first request.

14. (Currently Amended) A data service system, comprising:
  - a server system configured for receiving and handling requests from clients external to the data service system and including
    - a request processor configured for establishing a classification of each of the requests that is classified, scheduling the requests according to their respective classification, assigning a default classification to requests that are not classified, and
    - a server module configured for servicing the requests as scheduled;
  - an application system having an application engine configured for

performing requested transactions in response to the scheduled requests, and providing responses to the scheduled requests about the requested transactions,

a business rule engine configured for storing business rules pertaining to transaction classifications, analyzing responses based on the business rules,

a tag generator configured for generating, and regenerating, transaction classifications that for correspondingly attachingto the responses before they are returned to the clients, each transaction classification being associated with a particular session and being used with any subsequent requests within that session; and

a database configured to serve as a repository for the data service system and for interacting with the application system in relation to the requested transactions, wherein each a transaction classification being is either newly generated in the application system to assign a classification per transaction for a ~~new-session~~ first request, or and the transaction classification being updated to re-categorize the transaction during an existing session based on a ~~respective priority-based back-end classification if the classification of a succeeding request is different than the classification of the first request.~~

***Allowable Subject Matter***

Claims 1-19 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent Claims 1, 9 and 14, the best prior art, Mangipudi et al. (US 6,728,748) in view of Masters (US 6,374,300), teaches a server system and method for categorization of traffic to permit flexible design and implementation of multiple Class of Service levels, said system comprising a request processor that schedules requests from external clients; an application system coupled to the back-end servers; a business rule engine that stores business rules regarding classification of various transactions; and a tag (cookie) generator, said method comprising:

storing business rules regarding classification of responses to various externally requested transactions in a business rule engine; receiving an access request in the application system from the server system, wherein the access request is requesting the application system to perform an externally requested transaction and to generate a response for the request; using the business rules to analyze the response to obtain the classification information of the transaction response; generating a tag (cookie) and sending the tag (cookie) to a requesting client that issued the request such that the tag is attached to subsequent external requests to the data service system; scheduling (prioritizing) requests to be serviced by the server system based at least in part on the classification information contained in the tag of each of the subsequent external requests; wherein the classification information is generated in the application system to implement said classification on transactions based on a priority-based classification; and wherein the information contained in cookie includes *classification* information.

However, Mangipudi et al. (US 6,728,748) in view of Masters fails to disclose that said system being configured to newly generate the classification information to assign

a classification for a first request, and to re-categorize the transaction during an existing session if the classification of a subsequent request is different than the classification of the first request.

The best foreign art, van Loo et al. (EP 0 735 482 A1), while teaching assigning classification tag for processing transaction requests, fails to disclose newly generating the classification information to assign a classification for a first request, and re-categorizing the transaction during an existing session if the classification of a subsequent request is different than the classification of the first request.

The best non-patent literature, Braden et al. (RFC 1636 – Report of IAB Workshop on Security in the Internet Architecture – February 8-10, 1994), while addressing classifying data packets during communication over the Internet, fails to disclose newly generating the classification information to assign a classification for a first request, and re-categorizing the transaction during an existing session if the classification of a subsequent request is different than the classification of the first request.

The remaining dependent Claims are considered allowable, as they are dependent and based off an allowable independent Claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IB  
8/19/2006



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PRIMARY EXAMINER